CLR No. 335 of 2001

(**Old No. 194/1997**)

Hon. P.C. Pant, J.

There is none present on behalf of the revisionist.

This revision is directed against the order dated 27.05.1997, whereby the application for amendment moved under Order I Rule 10(2) of the Code of Civil Procedure, 1908, was allowed by the trial court to implead certain parties as respondent in view of the fact that the debtor had died prior to the institution of suit.

From the perusal of the order there appears no illegality in the impugned order, which is based on the principles of law laid down by the superior courts. The prayer could not have been allowed had the suit been barred by time as against the newly impleaded parties.

In the circumstances, the revision is liable to be dismissed. The same is dismissed.

Interim order, if any, stands vacated.

Dt. 22.02.2006 **(P.C. Pant, J.)**

HN